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Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket No. 039US1	Application No. 10/759,811
<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Patrick Miles et al.	
		Filing Date January 16, 2004	Group Art Unit: 3732

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	1	5,171,279	12/15/1992	Mathews			
	2	5,792,044	8/11/1998	Foley et al.			
	3	5,944,658	8/31/1999	Koros et al.			
	4	6,095,987	8/1/2000	Schmulewitz			
	5	6,152,871	11/6/2000	Foley et al.			
	6	6,468,207	10/22/2002	Fowler Jr.			
	7	6,524,320	2/25/2003	DiPoto			
	8	6,847,849	1/25/2005	Mamo et al.			
	9	6,945,933	09/20/2005	Branch			
	10	7,261,688	8/28/2007	Smith et al.			
	11	7,582,058	9/1/2009	Miles et al.			
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	13	2006/0025703	2/2/2006	Miles et al.			
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	16	2008/0058606	3/6/2008	Miles et al.			
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	18	2009/0124860	5/14/2009	Miles et al.			
	19	2009/0192403	7/30/2009	Gharib et al.			
↓	20	2009/0204016	8/13/2009	Gharib et al.			

**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publicati on Date	Country or Patent Office	Class	Subclass	Translation, Yes      No
	21	EP 0 972 538	1/19/2000	EPO			
	22	WO 00/38574	7/6/2000	WIPO			
	23	WO 01/37728	5/31/2001	WIPO			
↓	24	WO 02/054960	7/18/2002	WIPO			

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Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation, Yes      No
	25	WO 03/005887	1/23/2003	WIPO			
↓	26	WO 06/066217	6/22/2006	WIPO			

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	28	Dirksnager et al. "Microendoscopic and Open Laminotomy and Discectomy in Lumbar Disc Disease" <i>Seminars in Spine Surgery</i> 1999 11(2): 138-146
	29	METRx Delivered Order Form 13 pages
	30	Medtronic Sofamor Danek "METRx™ MicroDiscectomy System," <i>Medtronic Sofamor Danek USA</i> , 2000, 21 pgs.
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	32	"MetRx System MicroEndoscopic Discectomy: An Evolution in Minimally Invasive Spine Surgery," <i>Sofamor Danek</i> , 1999, 6 pages
	33	Smith and Foley "MetRx System MicroEndoscopic Discectomy: Surgical Technique" <i>Medtronic Sofamor Danek</i> , 2000, 24 pages
	34	"Sofamor Danek MED MicroEndoscopic Discectomy System Brochure" including Rapp "New endoscopic lumbar technique improves access preserves tissue" Reprinted with permission from: <i>Orthopedics today</i> 1998 18(1): 2 pgs
	35	Japanese Patent Office JP Patent Application No. 2006-528306 Office Action with English Translation dated June 10, 2009, 4 pages
	36	Plaintiffs' Preliminary Invalidity Contentions re US Patents 7207949; 7470236 and 7582058, dated September 18, 2009, 19 pages
	37	Plaintiffs' Preliminary Invalidity Contentions-Appendices September 18, 2009, 191 pages
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	39	Plaintiffs' Supplemental Preliminary Invalidity Contentions-Appendices dated September 29, 2009, 294 pages
	40	Axon 501(k) Notification: Epoch 2000 Neurological Monitor, December 3, 1997, 464 pages
	41	Foley and Smith, "Microendoscopic Discectomy," <i>Techniques in Neurosurgery</i> , 1997, 3(4):301-307
	42	Medtronic Sofamor Danek "UNION™ / UNION-L™ Anterior & Lateral Impacted Fusion Devices: Clear choice of stabilization" <i>Medtronic Sofamor Danek</i> , 2000, 4 pages
	43	NuVasive Vector™ Cannulae, 1 page (prior to Sept. 25 2003)
	44	NuVasive Triad™ Tri-Columbar Spinal EndoArthrodesis™ via Minimally Invasive Guidance, 1 page (prior to Sept. 25 2003)
↓	45	NuVasive Triad™ Cortical Bone Allograft, 1 page (prior to Sept. 25 2003)
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	47	Marha, "New Technology for Guided Navigation with Real Time Nerve Surveillance for Minimally Invasive Spine Discectomy & Arthrodesis," SpineLine, 2000, page 39	
	48	NuVasive "INS-1 Screw Test," 2001, 10 pages	
	49	NuVasive letter re 510k Neuro Vision JJB System, dated October 16, 2001, 5 pages	
	50	NuVasive letter re 510k Guided Arthroscopy System, dated October 5, 1999, 6 pages	
	51	NuVasive letter re 510k INS-1 Intraoperative Nerve Surveillance System, dated November 13, 2000, 7 pages	
	52	"NuVasiveTM Receives Clearance to Market Two Key Elem Minimally Invasive Spine Surgery System," November 27, 2001, 20 pages	
	53	Schick et al. "Microendoscopic lumbar discectomy versus open surgery: an intraoperative EMG study," Eur Spine J, 2002, 11: 20-26	
	54	NuVasive letter re: 510(k) for Neurovision JJB System (Summary), September 25, 2001, 28 pages	
	55	NuVasive letter re: Special 510(k) Premarket Notification: Neurovision JJB System (Device Description), July 3, 2003, 18 pages	
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	59	NuVasive letter re: Special 510(k) Premarket Notification: Neurovision JJB System (Device Description), September 14, 2006, 17 pages	
	60	NuVasive 510(k) Premarket Notification: Neurovision JJB System (Device Description), August 20, 2007, 8 pages	
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	62	NuVasive 510(k) Premarket Notification: Spinal System (Summary), April 12, 2004, 10 pages	
	63	NuVasive 510(k) Summary NIM Monitor, September 4, 1998, 4 pages	
	64	NuVasive correspondence re 510(k) Premarket Notification INS-1 Intraoperative Nerve Surveillance System, Section IV Device Description, pages 12-51 (prior to Sept. 25 2003)	
	65	NuVasive letter re 510(k) Premarket Notification INS-1 Intraoperative Nerve Surveillance System, August 24, 2000, 81 pages	
	66	Isley et al., "Recent Advances in Intraoperative Neuromonitoring of Spinal Cord Function: Pedicle Screw Stimulation Techniques," American Journal of Electroneurodiagnostic Technology, June 1997, 37(2): 93-126	
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	69	"Electromyography System," International Search report, International Application No. PCT/US00/32329, (April 27, 2001), 9 pages	
	70	"Nerve Proximity and Status Detection System and Method" International Search Report International Application No. PCT/US01/18606 (Oct. 18 2001) 6 pages.	
	71	"Relative Nerve Movement and Status Detection System and Method" International Search Report International Application No. PCT/US01/18579 (Jan. 15 2002) 4 pages.	
	72	"System and Method for Determining Nerve Proximity Direction and Pathology During Surgery" International Search Report International Application No. PCT/US02/22247 (Mar. 27 2003) 4 pages.	
	73	"System and Methods for Determining Nerve Direction to a Surgical Instrument" International Search Report International Application No. PCT/US03/02056 (Aug. 12 2003) 5 pages.	
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↓	75	"Systems and Methods for Performing Surgery Procedures and Assessments" International Search Report International Application No. PCT/US02/30617 (Jun. 5 2003) 4 pages.	

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